
OLR Bill Analysis

sSB 1075

AN ACT CONCERNING PUBLIC HOUSING GRIEVANCE PROCEDURES.

SUMMARY:

This bill expands the types of housing authorities that must implement tenants' rights and grievance procedures to include those that (1) own and operate moderate-income rental housing or housing for elderly people or (2) previously received state assistance. Current law requires (1) housing projects that presently receive state assistance and (2) moderate-income rental housing or elderly housing that the Connecticut Housing Finance Authority (CHFA) or its subsidiary owns and that a housing authority previously owned, to implement the procedures.

The bill requires the Department of Economic and Community Development commissioner to publish notice by September 1, 2011 of intent to adopt regulations establishing uniform minimum standards for the procedures and submit the proposed regulations to the Regulations Review Committee by December 1, 2011. Existing law already required the commissioner to adopt the regulations, but he has not done so.

The law, unchanged by the bill, requires a housing authority or CHFA or its subsidiary to adopt a uniform grievance procedure if it operates both federally- and state-funded housing projects.

The bill also makes a technical change.

EFFECTIVE DATE: July 1, 2011

BACKGROUND

Tenants' Rights and Grievance Procedures

Housing authorities receiving state assistance and CHFA or its subsidiary when it is the successor owner of housing previously owned by a housing authority for moderate-income rental housing or housing for elderly people must (1) provide their tenants with a written lease, (2) adopt a procedure for hearing tenant complaints and grievances, (3) adopt procedures for tenants to comment on proposed housing authority policy and procedure changes, and (4) encourage tenant participation in the housing authority's operation of state housing programs.

Federal Grievance Procedures

Federal regulations require housing authorities operating federally-funded housing projects to adopt grievance procedures giving tenants the opportunity for a hearing. The authorities must include these procedures, or cite them by reference, in the lease. They must also give tenants at least 30 days notice before changing the procedures.

Under the procedures, a tenant must present his or her grievance in person or in writing to the authority to see if the parties can resolve the dispute without a hearing. The authority must make a written record of the meeting and send the tenant a copy. The tenant can request a hearing by submitting a written request stating the reason for the grievance and the relief he or she seeks.

The authority appoints a hearing officer in the manner the grievance procedure specifies, and it must comply with his or her decision. The decision does not block the tenant from taking legal action (24 CFR 966.51 *et seq.*).

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 9 Nay 2 (03/10/2011)